

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

IN RE: CAPITAL ONE CONSUMER	)	
DATA SECURITY BREACH LITIGATION	)	MDL No. 1:19md2915 (AJT/JFA)
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This Document Relates to CONSUMER Cases

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**JOINT MOTION TO STAY PROCEEDINGS**

Named Representative Plaintiffs, individually and on behalf of all others similarly-situated, (“Plaintiffs”), Capital One Financial Corporation, Capital One Bank Capital One Financial Corporation, Capital One Bank (USA) N.A., Capital One, N.A. (collectively, “Capital One”) and Amazon.com, Inc. and Amazon Web Services, Inc. (collectively, “AWS,” with Plaintiffs and Capital One, the “Parties”), by and through their respective counsel, hereby jointly move the Court for a stay of proceedings, respectfully showing as follows:

1. While Capital One and AWS deny all liability, in the interest of avoiding the time, expense, and uncertainty of continued litigation, Plaintiffs and Capital One have executed a Term Sheet containing the essential terms of a class settlement that, if approved by this Court, will fully resolve all claims brought by Plaintiffs against Capital One and AWS in this multidistrict litigation.

2. Per the Term Sheet, within 45 days, a formally-executed written Settlement Agreement is to be submitted to this Court in conjunction with a motion for preliminary approval and a motion to direct class notice.

3. In light of the foregoing, the Parties submit that staying all non-settlement related proceedings in this multidistrict litigation, including all pending motions and objections and any rulings thereon, would be in the interest of judicial efficiency and conserve the resources of the

Court and the Parties. The Parties further submit that the proposed stay will not prejudice any party and, in fact, would avoid prejudice to the Parties.

WHEREFORE, the Parties respectfully move this Court to enter an Order staying all non-settlement related proceedings in this multidistrict litigation, including a stay of all pending motions and objections.

Dated: December 20, 2021

/s/

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Respectfully Submitted,

/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 20, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/ \_\_\_\_\_  
David C. Balser